

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**
3:08-CR-00117
3:00-CR-00088

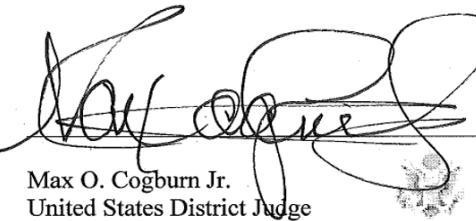
UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
)
)
	ORDER
Vs.)
)
LAMONT DIGSBY,)
)
Defendant.)
)

THIS MATTER is before the court on defendant's motion, pursuant to Federal Rule of Criminal Procedure 36, for correction of a clerical error. In support of the motion, defendant states that at his supervised release revocation hearing, held on April 6, 2011, defendant's probation officer and defendant argued that defendant should not be placed on supervised release following his release from incarceration. (Rev. Hr'g Tr. 12:3-12, Apr. 6, 2011.) In imposing a sentence on revocation of supervised release, the court stated in open court that it "declines to enter any further term of supervised release." (Rev. Hr'g Tr. 16:16.) The judgment entered on April 8, 2011, however, states that supervised release shall remain in effect. Defendant seeks to have the judgment amended to reflect that there shall be no term of

supervised release upon defendant's release from prison. Defendant states that the government does not object to the amendment. Having considered the motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's motion to amend the judgment entered April 8, 2011, to correct a clerical error (#31) is **GRANTED**, and the judgment shall be deemed amended *nunc pro tunc* to state that there shall be no term of supervised release to follow upon defendant's release from prison.



Max O. Cogburn Jr.
United States District Judge

Signed: July 26, 2011